

**GEORGIA BOARD OF EXAMINERS OF LICENSED DIETITIANS  
MINUTES OF REGULAR MEETING  
OCTOBER 7, 2004**

A Meeting of the Georgia Board of Examiners of Licensed Dietitians was held on October 7, 2004 at 10:00 in Room 102 & 103, 237 Coliseum Drive, Macon, Georgia.

**The following members were present:**

Lula Hutchinson, RD, LD, Chair  
Tracey Neely, MS, RD, LD, Vice Chair  
Nancy Walters, MMSc, RD, LD  
Jessie Wright, MS, LD, RD, Cognizant  
Joan Fischer, PhD, RD, LD  
Deedee Williams, Consumer Member

**Others Present:**

Jacqueline A. Hightower, Executive Director, Yvonne LeSane, Board Secretary, Serena Butts, Applications Specialist, Jeff Clements, Legal Services, Kathleen O'Neal, Legal Services, Taryn Tennyson, GDA Liaison Asst., Ellen Jurgens, GDA Liaison, A.J., Applicant, G.J., Applicant.

Ms. Hutchinson established a quorum of the Board and called the meeting to order at 10:15 a.m.

The Board reviewed and revised the Agenda.

Dr. Fischer moved and Ms. Neely seconded and the Board voted to approve the Minutes of August 19, 2004 minutes as amended.

**Dr. Fischer moved and Ms. Neely seconded and the Board voted to enter into Executive Session in accordance with O.C.G.A. §43-1-2(k)(1)(2), 43-1-19(h)(2)&(4), §43-1-2(k)(4) and 50-14-2(1) and to deliberate on Applications, receive information from Cognizant Report and the Attorney General's Report. Voting in favor of the motion were those present who included Board members Walters, Wright, Fischer, Neely, Williams and Hutchinson. The Board concluded Executive Session in order to vote on these matters and to continue with the public session.**

**Correspondence:**

Ms. Hutchinson read correspondence from Secretary of State Cathy Cox regarding a meeting with Board Presidents/Chairs and one (1) representative on November 4, 2004. The meeting will be held at the Secretary of State Examination Testing Center, Building B in Macon.

Ms. Williams moved and Dr. Fischer seconded and the Board voted Ms. Wright as the representative to attend the November 4, 2004 meeting with Board Chair, Lula Hutchinson. The Board will provide Ms. Hutchinson and Ms. Wright with any questions they wish to be addressed at the meeting.

**Georgia Dietetic Association (GDA) Liaison Report:**

Ms. Jurgens, Liaison, presented a brief informational report.

**Rule 157-2-.05, 157-6-.01 and 157-6-.02:**

Ms. Williams moved and Ms. Walters seconded and the Board voted that the formulation and adoption of these rules do not impose regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§43-1-4, 43-1-7, 43-1-25, 43-11A-7, 43-11A-14.

Ms. Williams moved and Ms. Walters seconded and the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§43-1-4, 43-1-7, 43-1-25, 43-11A-7, 43-11A-14 to adopt or implement differing actions for businesses as listed at O.C.G.A. §§50-13-4(3)(A), (B), (C) and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated and dominant in the field of Dietetics.

Ms. Williams moved and Ms. Walters seconded and the Board voted to consider for adoption the proposed rule amendment during its December 2, 2004 conference call beginning at 10:15 a.m.

Ms. Williams moved and Ms. Walters seconded and the Board voted to post the Notice of Intent to Adopt and Notice of Hearing for the proposed rule change to rules 157-2-.05, 157-6-.01 and 157-6-.02 for no less than 30 days prior to December 2, 2004 when the Board will hold a hearing on the rule and intent to adopt the proposed rule change as follows:

**RULES OF THE  
GEORGIA BOARD OF EXAMINERS OF LICENSED DIETITIANS**

**157-6, CODE OF CONDUCT AND ETHICS OF DIETITIANS**

**157-6-.01 Code of Conduct**

- (1). Unprofessional Conduct Defined. Unprofessional conduct may include but is not limited to the following:
- (a) failing to provide appropriate consultation or direction according to minimal standards of acceptable and prevailing practice;
  - (b) failing to supervise the provision of nutrition services in a healthcare facility according to minimal standards of acceptable and prevailing practice;
  - (c) failing to notify a doctor, nurse, or other appropriate practitioner of the healing arts as to recommended changes;
  - (d) practicing dietetics below the minimum standards of the profession as to assessments, evaluation, and documentation;
  - (e) practicing without a valid license;
  - (f) aiding in unlicensed practice, including but not limited to supervising, consulting, or co-signing notes of a registered dietitian that is not licensed under 43-11A;
  - (g) failing to report to the Board unlicensed practice of dietetics; and
  - (h) failing to provide client specific/appropriate nutritional counseling and education.

Authority O.C.G.A. § 43-1-19, 43-1-25, 43-11A-7 and 43-11A-15

**157-6-.02 Ethics of Dietitians.**

(1) The licensure law for dietitians provides that a Code of Ethics will be adopted and published and licensed dietitians will be required to adhere to the Code of Ethics. This code of ethics reflects the ethical principles of the dietetic profession and outlines obligations of the member to self, client, society, and the profession, and is adapted from the Code of Ethics for the Profession of Dietetics adopted by the American Dietetic Association and the Commission on Dietetic Registration. A violation of the Code of Ethics is considered unprofessional conduct and grounds for discipline under OCGA 43-1-19(6); 43-11A-15(6).

(2) Pursuant to O.C.G.A. §43-11A-7(9), the Georgia Board of Examiners of Licensed Dietitians shall have the power to adopt, publish and enforce a Code of Ethics. (1) The Licensed Dietitian provides professional services with objectivity and with respect for the unique needs and values of individuals by:

(a) providing sufficient information to enable clients, and others, to make their own informed decisions;

(b) avoiding discrimination on the basis of factors that are irrelevant to the provision of the professional services, including, but not limited to, race, creed, sex, ethnicity, religion, disability, national origin, sexual orientation and age; and

(c) not engaging in sexual harassment;

(3) The Licensed Dietitian accurately presents professional qualifications and credentials by:

(a) using "L.D." or "Licensed Dietitian" only when his/her license is current and authorized by the Georgia Board of Examiners of Licensed Dietitians;

(b) using "PLD" or "Provisionally Licensed Dietitian" only when his/her permit is current and authorized by the Georgia Board of Licensed Dietitians;

(c) permitting use of his/her name for purpose of certifying that dietetics services have been rendered only if he/she has provided those services.

(3) The Licensed Dietitian does not aid another in violating any Law or Rule of the Georgia Board of Examiners of Licensed Dietitians or aid another person in representing himself/herself as a Licensed Dietitian/Provisionally Licensed Dietitian or practicing dietetics when he/she is not licensed or otherwise exempted from licensure.

(4) The Licensed Dietitian remains free from conflict of interest or the appearance of a conflict by providing full disclosure when a real or potential conflict of interest arises.

(5) The Licensed Dietitian promotes or endorses products only in a manner that is neither false nor misleading.

(6) The Licensed Dietitian assumes responsibility and accountability for personal competence in practice by:

(a) practicing dietetics based on scientific principles and current information;

(b) continually striving to increase professional knowledge and skills and to apply them in practice;

(c) recognizing the limits of his/her qualifications and where appropriate seeks counsel or makes referrals or collaborates with others;

(d) adhering to accepted standards for his/her area of practice.

(7) The Licensed Dietitian complies with all applicable laws and regulations concerning the profession, but seeks to change them if they are inconsistent with the best interest of the public and the profession.

(8) The Licensed Dietitian presents substantiated information and interprets controversial information without personal bias, recognizing that legitimate differences of opinion exist.

(9) The Licensed Dietitian maintains the confidentiality of information and makes full disclosure about any limitations on his/her ability to maintain full confidentiality.

(10) The Licensed Dietitian conducts him/herself with honesty, integrity and fairness by:

(a) providing factual information to the public and colleagues of his/her services and not advertising in a false or misleading manner;

(b) making all reasonable effort to be objective and avoid bias of any kind in the professional evaluation of others.

(11) The Licensed Dietitian accepts obligation to protect the public and promotes the high standards of professional practice by upholding the laws, rules and Code of Ethics of the Georgia Board of Examiners of Licensed Dietitians and by reporting alleged violations.

Authority O.C.G.A. § 43-1-25, and 43-11A-7

**GEORGIA BOARD OF EXAMINERS OF LICENSED DIETITIANS RULES FOR  
LICENSURE REQUIREMENTS, CHAPTER 157-2  
RULE 157-2-.05 FINES AND PENALTIES.**

**[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]**

**157-2-.05 Fines and Penalties; Name and Address Changes**

(1) Upon finding that a violation has occurred, in accordance with O.C.G.A. §§ 43-11A-15 and 43-1-19, the Board has the authority to sanction any license issued, deny a license, or refuse to renew a license.

(2) ~~Practicing without a valid license may be grounds to deny a license or to sanction an applicant upon licensure as provided below.~~ The Board may impose any or all of the following:

(a) Public or Private Reprimand;

(b) Letter of Concern;

(c) Imposition of Fine(s);

October 7, 2004

- (d) Period of Probation;~~and~~
- (e) Any other action the Board may deem appropriate.
- (3) ~~Each day of unlicensed practice shall constitute a separate violation.~~ With respect to unlicensed practice, the board may consider each day as a separate violation.
- (4) Mitigating circumstances may be taken into account in varying the sanctions subject to the Board's discretion. Mitigating circumstances shall not include failure to notify the board of an address change or failure to receive a renewal application.
- (5) Name Change. A name change request shall be accompanied by a copy of the marriage certificate, court order, or other documentation of a legal name change.
- (6) Change of Address. It is the duty of each licensee to notify the Board immediately in writing of any change of address. ~~All mail from the Board office, including renewal applications, is not forwarded by the U.S. Postal Service.~~ The U.S. Postal Service may not forward mail, including renewal applications, from the Board office.

Authority O.C.G.A. §§43-1-19, 43-1-25, 43-11A-7, 43-11A-14 and 43-11A-15

### **Cognizant Member's Report:**

**Diet050049:** Ms. Williams moved and Dr. Fischer seconded and the Board voted to have Ms. Wright review and bring back to the Board at the next meeting.

Ms. Wright moved and Ms. Williams seconded and the Board voted to accept the Cognizant Member's Report.

Ms. Wright indicated that she would meet with Kathy Harvey to review the open complaints in enforcement.

### **Applications:**

**H. A. B:** Dr. Fischer moved and Ms. Williams seconded and the Board voted to approve application for licensure restoration upon receipt of signed consent agreement.

**E.F.O:** Dr. Fischer moved and Ms. Williams seconded and the Board voted to approve the application for licensure restoration upon receipt of signed consent agreement.

**Susan P. Blomeley:** Dr. Fischer moved and Ms. Williams seconded and the Board voted to approve application for licensure by CDR Registered.

**Jennifer L. Sowers:** Dr. Fischer moved and Ms. Williams seconded and the Board voted to approve application for licensure by CDR Registered.

**Alice B. Jacob:** Dr. Fischer moved and Ms. Williams seconded and the Board voted to approve the extension of the provisional permit until December 31, 2004.

**Jean E. Beedoe:** Dr. Fischer moved and Ms. Williams seconded and the Board voted to accept consent agreement for licensure restoration.

**G.L.J:** Dr. Fischer moved and Ms. Williams seconded and the Board voted to offer a consent agreement for restoration.

October 7, 2004

Ms. Hightower stated that whenever a reinstatement or renewal applicant answers yes to the conviction or disciplinary questions, staff will review the previous renewal or application to determine if the information was disclosed previously and addressed by the board. If the issue was addressed by the board previously, staff will proceed with the processing of the application. If it was not reviewed by the board, staff will present the application and previous renewal or application for board review.

**A.R.J:** Dr. Fischer moved and Ms. Williams seconded and the Board voted to offer a consent agreement for licensure upon receipt of acceptable background check.

**Ms. Neely moved and Ms. Walters seconded and the Board voted to approve applications for licensure who were determined to have met licensure requirements as follows:**

<b>License No.</b>	<b>Name</b>	<b>Issue Date</b>
LD002767	Borghardt, Jamie Cannon	8/13/2004
LD002768	Phillip, Annette D.	8/13/2004
LD002769	Mitchell, Tiffany Roshea	8/13/2004
LD002770	Vives, Kim Michele	8/13/2004
LD002771	Rhodes, Kimberly Diane	8/13/2004
LD002772	Walker, Tiffany Kay	8/16/2004
LD002773	Shahid, Judy Nasir	8/23/2004
LD002774	Humphrey, Laura Hand	8/26/2004
LD002775	Meggitt, Lindsay Erin	8/30/2004
LD002776	Peltier, Constance Ann	8/30/2004
LD002777	Mark, Amy Michelle	9/3/2004
LD002778	Bernath, Alisa Bess	9/3/2004
LD002779	Krentzman, Melissa Ann	9/3/2004
LD002780	Woodward, Mary Ann	9/3/2004
LD002781	Sumner, Shana Elaine	9/3/2004
LD002782	Silvis, Katherine Hardy	9/13/2004
LD002783	Beard, Suzanne Milton	9/13/2004
LD002784	Wynn, Marisa Isabel	9/13/2004
LD002785	Geddes, Kristen Leigh	9/13/2004
LD002786	Morris, Sara Michelle	9/13/2004
LD002787	Wilhoit, Amber Renee	9/15/2004
LD002788	Light, Rebecca Brantley	9/20/2004
LD002789	Yurman, Kathryn Harris	9/20/2004

**Ms. Neely moved and Ms. Walters seconded and the Board voted to approve applications for provisional licensure who were determined to have met provisional licensure/permit requirements as follows:**

**Provisional License**

<b>Name</b>	<b>Issue Date</b>
Alice Shawn Wilson	8/30/2004
Emily Catherine Kehoe	9/3/2004
Annette C. Governo	9/13/2004

**Ms. Neely moved and Ms. Walters seconded and the Board voted to approve applications for restoration who were determined to have met licensure requirements as follows:**

<b>Reinstatements</b>		
<b>License Number</b>	<b>Name</b>	<b>Issue Date</b>
LD02459	Bloor, Shannon Christine	8/23/2004
LD001193	Phillips, Carrie Ann	8/24/2004
LD001384	Shaw, Betty Lynne	8/24/2004
LD002327	Casey, Rebecca Hathaway	8/26/2004
LD001092	Krikku, Marilyn Jo	8/30/2004
LD000955	Stanback, Erin S	8/30/2004
LD001864	Kessler, Melissa Diane	9/3/2004
LD002235	Osborne, Audrey Edwards	9/20/2004
LD001127	Williams, Laurice Howell	9/21/2004

**Education Task Force Meeting:**

The Education Committee consisting of Joan Fischer, Committee Chair, Jessie Wright, Nancy Walters and Taryn Tennyson, GDA Liaison, Ellen Jurgens and Jacqueline Hightower met in room 103 at 3:15 p.m.

Re: Report of Education Task Force Meeting, October 7, 2004.  
Board of Examiners of Licensed Dietitians

Nancy Walters presented a revised table of CE requirements that will be 1) placed on the board website, 2) utilized by those doing CE audits for licensed dietitians, 3) posted on the Georgia Dietetic Association website and 4) placed in the Georgia Dietetic Association newsletter. The table was originally prepared by Jacqueline Hightower.

The task force members discussed strategies to increase communication to students in undergraduate and dietetic internship programs in the state as well as to new dietitians who might enter Georgia after attending out of state dietetic internship programs. These efforts will be a joint effort between the board and the Georgia Dietetic Association.

Joan Fischer contacted representatives of the Dietetics Educators of Practitioners Dietetic Practice Group (DEP) and Commission on Accreditation/Approval for Dietetics Education (CADE) to determine what is being done at a national level to enhance communication concerning state license requirements. The CADE representative recommended that communication at the national level be initiated through the DEP practice group. The current

October 7, 2004

chair of DEP was contacted to discuss adding information to the DEP newsletter reminding program directors to cover licensing requirements. This is particularly important for dietetic internship directors.

The draft of a short, bulleted fact sheet about licensing was reviewed and revised. The draft, as revised during the committee meeting, is attached. This fact sheet can be distributed to educational programs and to employers in Georgia. Jesse Wright will bring a copy of a similar poster used in Florida to the next committee meeting for discussion.

Other plans include the:

Development of an educational packet including power point slides that can be used by program directors in the state. A draft of the packet will be developed by Nancy Walters and presented at the next meeting.

Did you know?

- There is a Dietetics Practice Act in Georgia
- Dietitians must be licensed to practice dietetics in the state of Georgia
- There is no grace period

Dietetic Practice and Dietetics includes, but is not limited to:

- Assessing the nutritional needs of individuals and groups
- Providing nutrition counseling
- Developing, implementing and managing nutrition care delivery systems

A provisional permit can be obtained to practice dietetics under the supervision of a Georgia Licensed Dietitian for up to one year following completion of a dietetic internship.

Go to [www.sos.state.ga.us/plb/dietitians](http://www.sos.state.ga.us/plb/dietitians) to find the

- Law and rules
- Application
- Verification of licensure
- Ask a question

Certain exceptions apply to this law. These can be found in the law.

For questions call (478) 207-1620.

### **Rules Committee Meeting:**

The Rules Committee consisting of: Lula Hutchinson, Committee Chair, Tracey Neely, Deedee Williams, Yvonne LeSane, Board Secretary and Jeff Clements, Legal Services discussed the following:

Agenda:

October 7, 2004

- I. Review text for proposed extension of late licensure renewal period.
  - II. Establish fees and penalties for late renewal period.
  - III. Review ADA's job description for dietetic technician and establish practice guidelines.
  - IV. Prepare Rules Committee report.
  - V. Establish agenda for next Rules Committee meeting.
- 
- I. Rules committee postpone review of text for lapse/renewal period pending information from Jacqueline Hightower regarding legal text.
  - II. Rules Committee recommends fees for the lapse/renewal period follow the current fee schedule.
    - a. Applicants applying for renewal during the three (3) months lapse/renewal period should directed to the current fee schedule.
    - b. Applicants applying for renewal during the three (3) months lapse/renewal period will not be required to document CPEUs.
  - III. Review of practice guidelines for dietetic technician was postponed until committee members consult with Wylencia Monroe regarding the board's authority to define responsibilities and set practice guidelines for the dietetic technician.

The Committee appointed Ms. Tracey Neely Chair of the Rules Committee.

Rules Committee will present text for the lapse/renewal period at the next board meeting and review ADA's job description for the dietetic technician and dietary manager.

**Ms. Neely moved and Ms. Williams seconded and the Board voted to adjourn at 4:10 p.m.**

---

Lula Hutchinson, Chair

---

Mollie L. Fleeman, Division Director  
Professional Licensing Boards Division

---

Recorded by

---

Jacqueline Hightower, Executive Director  
Professional Licensing Boards Division